

**MADISON COUNTY PLANNING BOARD
MEETING MINUTES
JUNE 25, 2007**

BOARD MEMBERS PRESENT: Lane Adamson, Pat Bradley, Ann Schwend, John Lounsbury, Dorothy Davis, Kathy Looney, Dave Maddison, Eileen Pearce, Ed Ruppel, Bill Olson and Laurie Schmidt.

MEMBERS ABSENT: None.

OTHERS PRESENT: Raul Luciani, David Nolt, Carrie Larjon, David Elias, Michael Sanderson, Joe Veland, Ron Coleman, George Beimel, Charles H. Raches, Wayne and Ginger Lee, Peter Bachman, County Commissioners Jim Hart and David Schulz, Craig and Sean Graham, Kevin Germain, Jessi Fanelli, Rob and Dena Miller, Meghann Miller, Frank Colwell, Lauren Waterton, Wade Pannell, Scott McCormack and Chris Leonard.

MOTION: To accept the minutes of the May 29, 2007 Planning Board meeting with one revision. **Moved by:** Ed Ruppel **seconded by:** Lane Adamson. **All voted aye.**

President's Comments: This is going to be a difficult meeting as it is the last for Doris and Staci. Thank you to Doris for her leadership. Doris has taken the county light years ahead and we were lucky to have this leadership.

Public Comment:

Lane Adamson commented that the other Planning Board members should be commended. We have all benefited from their insights. The Planning Board is in a good position now and we will get a new planning staff.

Pre-Application Discussions

Moose Creek Village, McAllister (CP Development, landowner)

Staci gave an overview of (8) four plexes as Phase 1. There are 8-9 commercial units-condos. Their goal is to retain a western style and look. They plan to retain privacy and provide some recreational facilities. Plans include ditch relocation with ditch owner's approval. Adjacent land uses are

agriculture, residential and commercial. The plans are for community water and sewer systems.

Comments/Questions from Board, staff and others:

- ✓ The idea of community systems is very exciting. Is it too expensive? *Cost is manageable; around \$110,000. It can be gradually put into place.*
- ✓ What would be the timing of residential and commercial? *We would start with residential.*
- ✓ Will there be covenants on the residential? *Yes on both residential and commercial.*
- ✓ It would be nice to meet with other residents about the change in use of the land.
- ✓ Is this going to have the look of the Four Corners Project? *That's the kind of look I'd like to achieve.*
- ✓ It's good to hear someone talking about a community.
- ✓ It's good to hear someone planning to do community water and sewer at last!

Veland Minor, Cameron (Joseph and Allison Veland, landowners)

Doris introduced the project as being southeast of Ennis on the east side of the airport runway. Would have done a family conveyance, but cannot do so due to the location of being in a subdivision. She stated that there is not secondary ingress and egress to the neighborhood. This is a subsequent minor requiring a public hearing and an environmental assessment.

Comments/Questions from Board, staff and others:

- ✓ Has anything else been split? *No.*
- ✓ *We're not trying to sell any property off.*
- ✓ What is the build-out in the subdivision? *20% of the lots have structures. Most of the houses are full time residents.*

Elk Run, Twin Bridges (Richard Slaney, landowner)

Staci gave an overview of the proposal. It is located 3 miles west of Twin Bridges and is part of the Giltrap Subdivision. She described it as more development in an area in which development has already occurred. The

proposal contains 18 residential lots with Rochester Creek running through the area. There are no water rights. The existing covenants will be updated. There is State land located to the east and north and residential and agricultural to the south and west.

- ✓ Will there be cash in lieu of the parkland? *Yes.*
- ✓ Do revisions on covenants address wildlife friendly fencing and downcast lighting? *Not sure.*
- ✓ How comprehensive should the covenants be? *Planning Board answer: We urge that the covenants address all concerns, ie. fencing.*
- ✓ Have you seen the *Code of the New West*? *No. Board comment: We will share it with you.*
- ✓ What is the width of Rochester Creek? *You can walk across it in a few steps.*
- ✓ Are you going to have building envelopes on Lot s 17 and 19 that will meet the 100' setback? *Yes.*
- ✓ Where is the access to Lot 17? *Across the top north side of Lot 24.*
- ✓ What is the contour interval on the map? *There are 2 foot contours.*
- ✓ Are you doing test wells? *No. There are plenty of wells in the area. We are pretty confident there will be water.*
- ✓ Would you consider community water and sewer? *Might not be economically feasible.*
- ✓ What types of wildlife is present on the property? *Gophers, rattlesnakes and occasional antelope.*
- ✓ We would like to see more information regarding available water. There should be test wells done.
- ✓ Why do such small parcels? *Want to make small pieces of land for working people. There is nothing available.*
- ✓ You could add to the covenants a stipulation for "no livestock".
- ✓ Why is there no parkland dedication? *No good grass or water on the property for a park. The soil is very marginal and would not be good for horses.*

**PRELIMINARY PLAT REVIEW OF COTE MEADOWS MINOR
SUBDIVISION, ALDER (MILLER CATTLE COMPANY, landowner)**

Staci introduced the project as 51 acres off of Judy Lane, 3-31/2 miles south of Alder. There are four lots from 18 to 2+ acres. There will be individual wells and septic. It is predominantly agricultural land surrounding it, with some State land as well. There will be building envelopes defined for DEQ approval. There will be some building height limitations and other design standards. There will be a road maintenance

agreement for the subdivision road. Lots 1 and 4 will have long driveways. There will be a need for re-seeding and weed plan implementation.

Questions/Comments from the Board, staff and others:

- ✓ Where did the gravel come from? *From the sump pond.*
- ✓ Twenty eight to twenty nine feet is a suggested building height. Eighteen would be hard to meet.
- ✓ This is a very well done project.

PLANNING BOARD RECOMMENDATION

Based on the subdivision application, staff report, June 25th public meeting and subsequent review and discussion, the Planning Board recommends preliminary plat approval be granted to the Cote Meadows Minor Subdivision, subject to the conditions listed below.

[Standard Conditions]

1. Any and all adopted State and County requirements and standards which apply to this proposed subdivision must be met unless otherwise waived for cause by the governing body.
2. A notarized declaration of “Right to Farm” and “Emergency Services Information” (Appendix R. of the September 2006 Madison County Subdivision Regulations) must be filed with the final plat.
3. The final plat must be accompanied by a certification by a licensed title abstractor showing the owners of record, the names of any lienholders or claimants of record against the land, and the written consent to the subdivision from any lienholders or claimants of record against the land.
4. Road, utility, and canal easements shall be clearly shown and labeled on the final plat.
5. Future modification of any elements shown on the plat may not be made without County review and approval.
6. Prior to final plat approval, written approval of a noxious weed management plan must be obtained from the Madison County Weed Board.

[Additional site-specific conditions]

7. Prior to final plat approval, the Montana Department of Environmental Quality must approve all lots for water, sewer, solid waste, and storm drainage.
8. The final plat should include the following statement, "Prior to any construction requiring sanitation, the lot owner must first obtain a Madison County septic permit." (It is also recommended the covenants include this stipulation as well, because many lot owners may not actually see the recorded final plat.)
9. Prior to final plat approval, each lot must be assigned a *temporary* physical address in accordance with Madison County's rural addressing and Emergency 911 system. Individual address signs shall be installed once permanent addresses are assigned.
10. Encroachment permits for the subdivision road and any driveways off of Judy Lane shall be recorded at or before the time of final plat approval.
11. Prior to final plat approval, the developer shall consult with the Madison County Road Supervisor to satisfy any fair share obligation that is deemed necessary to improve Judy Lane. Any fair-share payment shall be made in accordance with final calculations of the Road Supervisor.
12. The final plat shall include a statement whereby lot owners waive their right to protest rural improvement district (RID) designated by Madison County to upgrade and/or maintain Judy Lane.
13. The final plat must identify building envelopes which include all buildings for each lot except Lot 2, or a building envelope plan shall accompany the final plat (subdivider's choice.) If the subdivider chooses to submit a building envelope plan, the County Planning Office will serve as a repository for the plan. Proposed building envelope changes shall require County review and approval. The face of the final plat shall reference the building envelope plan. As per the subdivision application, the building envelopes will be approximately 1.5 acres in size.
14. Prior to final plat, the public access subdivision road shall be constructed by the developer in compliance with the design standards outlined in the Madison County Subdivision Regulations 2006. The

subdivision road shall be classified as a “low-density, level/rolling road” (See pg. 57 of the regulations). In addition, a 24 ft. culvert on the subdivision road shall replace the existing bridge that crosses the West Bench Canal. A subdivision road sign must be installed, and reseeding of all disturbed areas must occur. All road maintenance, including but not limited to grading and snowplowing and removal, shall be the responsibility of the landowners, not Madison County. In the event that the road and other such required improvements are not completed prior to the final plat submission, an Improvements Agreement and Irrevocable Letter of Credit or equivalent guarantee (See Subdivision Regulations, Appendix M) shall be filed with the Board of County Commissioners prior to final plat approval. The amount of the Letter of Credit shall be 125% of the engineer’s estimated cost for the improvements. Any letter of credit must cover the time period needed to complete project improvements.

15. Prior to final plat approval, an underground cistern with a 10,000 gallon capacity shall be installed on-site, at a location and under the specifications acceptable to the Office of Emergency Management and the Alder Rural Fire Department or an alternative arrangement for fire protection that is acceptable to the Office of Emergency Management and the Alder Volunteer Fire Department. Maintenance of the cistern and its above-ground connection shall be the ongoing responsibility of the subdivision lot owners. If an acceptable alternative is permitted, the lot owners shall be responsible for any necessary maintenance. In the event that the fire protection facility is not completed prior to final plat submission, the facility shall be covered in the Improvements Agreement described above.
16. Prior to final plat, a water user agreement shall be executed to allocate water rights and maintain irrigation facilities.
17. Prior to final plat approval, the subdivision road name, Cote Lane, must be altered to a name acceptable to the Madison County Sheriff’s Department for E-911 purposes.

MOTION: To recommend approval of the Preliminary Plat of Cote Meadows Minor Subdivision as per the conditions outlined in Staci’s staff report. Moved by: Bill Olson seconded by: Ed Ruppel. All voted aye.

This subdivision will go before the County Commissioners on July 10, 2007.

REVIEW OF PROPOSED LONE MOOSE MEADOWS OVERALL DEVELOPMENT PLAN, BIG SKY (THUMB DEVELOPMENT LLC, landowner)

Doris introduced the project as being a chance for public comment, but it is not a public hearing. It is an update from last month's meeting. She stated that Thumb Development recognizes that there needs to be more information gathered to help refine the plan and to make recommendation regarding additional information. She said that there had been many written comments received from neighbors and one agency comment. She described the project as being in Madison and Gallatin Counties, with access being from Montana Highway 64. There are 185 acres in Madison County. The proposal has 153 units, including 100 condo units. One of the questions remaining is how to manage the traffic flow between the two counties. The staff analysis pointed to a need for more information. There also needs to be a geological conditions evaluation, avalanche assessment and more comprehensive wildlife study.

Public Comments/Questions:

- ✓ Current Lone Moose Drive is very hazardous, especially in the winter.
- ✓ We will lose our skier bridge. Some of us bought for ski-in, ski-out access.
- ✓ Can the skier bridge handle a loaded fire truck?
- ✓ Not opposed to entire ODP, but to the American Land Development road system.
- ✓ Relationship between developers and unit owners has not been good so far.
- ✓ Information as to the height of the condo hotel should be supplied.
- ✓ This is not a light "footprint". What about parking?

Planning Board Comments/Questions:

- ✓ Is there a way for Gallatin and Madison Counties to have a joint review of this? *It would be better for us if the two counties would work together.*
- ✓ Highway 64 is a collector road, not an arterial road in the Montana Highway system.
- ✓ Wildlife study seems totally inadequate. Avalanche danger should be looked at. Public safety seems horrendous, ie. dangerous roads. How

- can the developer justify the original commitment to the original owners? This proposal needs to go back and be done all over again.
- ✓ Geological assessment is absolutely inadequate. There must be a complete study.
 - ✓ Lone Moose Meadows is a poor place, with poor roads. This is a terrible place to put a development. Need more studies on wildlife.
 - ✓ It would be good to work with Gallatin County as what happens in one county affects another.
 - ✓ Need to work with adjacent landowners. There are justifiable complaints from the public.
 - ✓ This seems all economically based. Why haven't you considered some alternatives?
 - ✓ There seems to be body language that there is no consideration for neighbors.
 - ✓ *Developer: We will provide a way to maintain ski-in, ski-out access. The bridge is rated for fire truck access. Access along stream will continue. There will be some shared maintenance agreements.*
 - ✓ We look forward to a revised plan.

PRE-APPLICATION DISCUSSION OF THE FRONT 9 PLANNED UNIT DEVELOPMENT (PUD), BIG SKY (MOONLIGHT BASIN RANCH L.P., landowner) AND STATUS REPORT ON IMPLEMENTATION OF MOONLIGHT BASIN RANCH OVERALL DEVELOPMENT PLAN

Kevin Germain described the plan as encompassing 382 acres with 98 lots, eight of which would be duplexes. There will be 6 estate lots, 38 golf villas and 46 single family lots. The open space is not yet designated. It is not annexed to Gallatin Canyon Consolidated Fire District yet, but that plan is in the works. He pointed out road access and emergency access. Kevin apologized that Moonlight had previously said that they would never come back and ask for more density, but that they are doing so now. He stated that they will address (1) wildlife, (2) traffic, (3) geotech and (4) emergency services. They plan to open up the wildlife corridor and make it five times wider. Gallatin Canyon Fire will tour the project on June 26.

Changes in the ODP from the previous submittal:

- ✓ Added 390 units to density.
- ✓ Five star hotel site above golf course.
- ✓ Definition of "density entitlement" needs to be clarified.

Comments/Questions from the Board:

- ✓ If in two years you are not up to the skier numbers, then will you go back again?
- ✓ Lone Mountain Trail is deteriorating rapidly. Would Moonlight join in on an RID for maintenance?
- ✓ What impact will this shuffling have on the wetlands?
- ✓ The biggest obstacle to wildlife is the Madison Road.

OLD BUSINESS

Madison Growth Solutions

Madison Growth Solutions- Lane Adamson reported that there will be meetings held within the next few months to determine what the public wants to do with all of the information gathered so far in the Growth Solutions Forums.

NEW BUSINESS

Planning Office Transition Plan

Doris reported that there were contract planners lined up for Lower Family Ranch and Bradley Creek Subdivision which are in the process to go to Preliminary Plat hearings. Anne Cossitt of Cossitt Consulting and Dave DeGrandpre of Land Solutions will be handling those projects respectively. Jim McGowan of Great West Engineering has been hired to study the aspects of the wind power generation towers which are scheduled to come before the Commissioners. They will probably do some other projects as well if needed. Marilee will coordinate with the County Commissioners and Planning Board on all of these issues.

Adjournment was at 10:15 p.m.

Ann Schwend, President

Marilee Tucker, Secretary